WPMS No. 41 of 2003

Hon.Irshad Hussain, J.

Heard Sri M.C.Pande, learned counsel for the petitioner and Sri Bhupendra Singh, learned Standing Counsel.

The grievance of the petitioner is that on 12.11.2002 the respondent no.2 has vacated the stay order granted earlier by him on 23.10.2002 without affording him any opportunity. The impugned order contained in Annexure 3 supports the contention of the petitioner. In view thereof, it will be proper that the petitioner submit an application before the respondent no.2 to have his say in the matter and the respondent no.2 shall pass the order on merit after hearing the parties to the case. Till then, the status quo shall be maintained.

With this the petition is disposed of.

Dt. 15.1.2003 (Irshad Hussain, J.)

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